

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CECIL EDWARDS.,	:	
	:	
Plaintiff,	:	Civil Action No. 05-612(GMS)
	:	
v.	:	
	:	JURY TRIAL DEMANDED
MURPHY MARINE SERVICES, INC.,	:	
	:	
Defendant.	:	
	:	

JOINT STATUS REPORT

Pursuant to the Notice of Scheduling Conference dated November 15, 2005, the parties submit the following Joint Status Report in anticipation of the Scheduling Conference to be held on **December 6, 2005 at 2:00 p.m.**

1. Jurisdiction and Service. The Court has subject matter jurisdiction, all parties are subject to the Court's jurisdiction and no party remains to be served.

2. Substance of the Action.

By Plaintiff:

Plaintiff Cecil Edwards ("Plaintiff") is an employee of Murphy Marine Services, Inc. ("Defendant"). Plaintiff alleges that Defendant discriminated against him based upon his age and that he was denied the opportunity to attend training to obtain certification for a position in favor of individuals substantially younger than him. The Defendant's denial of the opportunity to train and receive certification for which Plaintiff is entitled is a violation of the Age Discrimination in Employment Act of 1967 (ADEA).

By Defendant:

Defendant denied discriminating against Plaintiff on the basis of his age or otherwise.

3. Identification of Issues.

- (a) Did Defendant discriminate against Plaintiff based upon his age?
- (b) Did Defendant deny the Plaintiff the opportunity to train and receive certification in favor of those less qualified for the position because of his age?
- (c) What damages has Plaintiff suffered and what damages will he suffer in the future due to Defendant's actions?

4. Narrowing of Issues. The issues may be narrowed by dispositive motions and/or stipulation of the parties following discovery.

5. Relief. Plaintiff seeks an award of back pay with prejudgment interest for the higher paying positions that he should have been awarded, damages for pain and humiliation, punitive damages, and attorneys' fees and costs, all in an amount to be determined at trial.

6. Amendment of Pleadings. None anticipated at this time.

7. Joinder of Parties. None anticipated at this time.

8. Discovery. The parties have agreed to exchange initial disclosures by **January 12, 2005**. The parties anticipate that they will need 6 months for discovery in this action and seek a discovery deadline of **six months** from the date of the scheduling order. Discovery may include:

- (a) Requests for Admissions;
- (b) Requests for the Production of Documents;

- (c) Depositions, however, each side is limited to ten (10) depositions;
- (d) Interrogatories, however, each side is limited to twenty-five (25) interrogatories.


9. Estimated trial length. Trial should take no longer than four (4) days.

The parties will endeavor to reduce the length of trial by entering into stipulations.

10. **Jury trial.** A jury trial has been demanded.
11. **Settlement.** There have been no settlement discussions to date.
12. **Other matters.** None.
13. Counsel for the parties have conferred about each of the above matters.

MARGOLIS EDELSTEIN

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Dated: November 29, 2005